

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

DAVID E. MNZAVA,)
)
Plaintiff,)
)
v.) No. 3:14-CV-386-TAV-CCS
)
NP PROPERTIES, LLC, and)
DIVERSE CONCEPTS, LLC,)
)
Defendants.)

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02. Now before the Court is a Motion to Withdraw as Counsel [Doc. 67], filed by Plaintiff's counsel Andrew Pate on January 28, 2016.

In his motion, Attorney Pate explains that an irreconcilable conflict of interest has arisen between the Plaintiff and him, making continued representation unethical. Counsel certifies that the motion to withdraw complies with Local Rule 83.4(g). In addition, the motion is co-signed by the Plaintiff whose contact information is also included in the motion.

Pursuant to Local Rule 83.4(g), an attorney who seeks to withdraw must: (1) request permission from the Court to withdraw as counsel; (2) include the current mailing address and telephone number of the client; (3) provide a copy of the motion to the client 14 days prior to filing unless the client has signed the motion; and (4) certify that the requirements of the rule have been met.

Because the Plaintiff has consented to the proposed withdrawal and counsel has satisfied Local Rule 83.4(g), the Court finds the Motion to Withdraw as Counsel [**Doc. 67**] is well-taken, and it is **GRANTED**. Attorney Pate **SHALL** turn any relevant documents over to the Plaintiff

and advise the Plaintiff of all pertinent dates and deadlines in this case in writing. Thereafter, Attorney Pate is **RELIEVED** of his duties as counsel in this matter.

The Plaintiff is **ADMONISHED** that he is deemed to be proceeding *pro se* in the interim. If the Plaintiff intends to secure substitute counsel in this matter, counsel must file a notice of appearance on or before **March 4, 2016**. Otherwise, the Court will consider the Plaintiff to be proceeding *pro se* in this litigation.

The Clerk of Court **SHALL** enter the Plaintiff's current mailing address of 1526 Carrie Belle Drive, Knoxville Tennessee, 37912, and phone number of (865) 454-1868 in the docket of this case and mail a copy of this Memorandum and Order to the Plaintiff.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge